



State of Washington
DEPARTMENT OF ECOLOGY
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NORTH MARKET STREET
HAZARDOUS WASTE SITE

Update -- May 1988

The firms most likely to have contributed to contamination problems at the North Market Street site north of Spokane will have an opportunity to help complete studies into the site's problems. Under state law the firms are potentially liable for the costs of studies and cleanup to correct problems at the site. In July, the Department of Ecology plans to formally ask the firms to propose an agreement for completing the studies, which will include evaluation of possible cleanup alternatives. This summer Ecology will attempt to negotiate an agreement with the firms for the work. Once agreement has been reached, the public will have an opportunity to review and comment on the proposal. The North Market Street site is about 1.5 miles north of the Spokane city limits near the intersection of North Market and Freya Streets.

WHAT ARE THE PROBLEMS AT THE SITE?

Various firms have used the North Market Street area for petroleum refining, storage, transportation, recycling, and disposal since the early 1920's. A petroleum tank farm and pipeline terminal are still operating. Ecology has found petroleum products in soils and ground water at the site. Depth to ground water in the area is about 155 feet. A monitoring well installed last summer revealed several inches of petroleum product floating on the surface of the ground water.

WHAT WILL HAPPEN IF THERE IS NO AGREEMENT?

If an agreement is not reached, Ecology will do the studies and seek to recover the costs from the potentially liable firms. However, Ecology has received indications that some of the firms are preparing to undertake the studies under Ecology's oversight.

HOW HAS ECOLOGY DETERMINED WHO IS POTENTIALLY LIABLE?

Previous studies into the nature and extent of soil and ground water contamination have shown which firms are most likely to have contributed to the problems at the site. Once completed, the upcoming studies will provide the detailed information necessary to determine who is liable for cleanup of the problems.

Under the Hazardous Waste Cleanup Act, each business or person who contributed to a contamination problem is responsible for the costs of cleanup. The law states they are "strictly liable, jointly and severally," meaning the state could recover cleanup costs from one or more of the potentially liable persons.

The law also specifies that someone who knowingly buys contaminated property is potentially liable. A person's liability depends on

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whether he or she knew, or had reason to know, the site was contaminated before purchasing it. This holds true even if the person did not contribute to the contamination problem.

WHAT HAPPENED TO THE STUDIES THAT WERE TO HAVE BEEN DONE BY NOW?

Due to a significant reduction in state funding in June 1987, Ecology cancelled the ongoing investigations into problems at the North Market Street site. Plans had called for Ecology's contractor, Golder Associates, to conduct an intensive study of ground water, soils and contamination. Once completed, the study would have defined the boundaries, nature and sources of the contamination sufficiently to develop and evaluate cleanup options.

If no agreement is reached with the potentially liable firms, Ecology is now able to proceed with the investigation. Enactment of the Hazardous Waste Cleanup Act in October 1987 made funds available for the work. It also provided incentives and a process for those potentially liable for the contamination to voluntarily undertake the studies. Of the over 1.6 million dollars originally budgeted for the investigation, about 40 per cent was spent prior to cancelling activities at the site. The already collected test results will become part of a report summarizing and interpreting studies of the site.

WHAT HAVE STUDIES AT THE SITE ACCOMPLISHED?

Tests of new and existing wells in the area revealed the presence of petroleum by-products in the ground water. Tests also revealed the soil was contaminated in a number of areas. The results have helped identify the firms most likely to have contributed to contamination at the site.

DO POTENTIALLY RESPONSIBLE FIRMS HAVE THE RESULTS OF THE STUDIES?

In March 1988, Ecology sent the existing study results to potentially liable firms. The results consist of information collected at the site and from tests of soil and water samples. They are in a form scientists call "raw data."

WHAT INFORMATION WILL THE PLANNED STUDIES PROVIDE?

The planned studies include completing the cancelled study of soils, ground water and contamination at the site. The test results, along with currently existing results, will be summarized and interpreted in a report called the remedial investigation. The studies also include developing and evaluating alternatives to clean up contamination in soils and in the Spokane Valley-Rathdrum Prairie aquifer.

QUESTIONS?

If you have questions, please contact Brad Ewy at 206/438-3072, Sue Simms at 206/438-3081, or call toll-free at 1-800-458-0920.